



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

Promoting the wise use of land

MEETING DATE June 5, 2015 LOCAL EFFECTIVE DATE June 20, 2015	CONTACT/PHONE Brandi Cummings (805) 781-1162 bcummings@co.slo.ca.us	APPLICANT Steve and Jackie Gleason	FILE NO. DRC2014-00064
SUBJECT: Hearing to consider a request by Steve and Jackie Gleason to allow a modification of their previously approved Minor Use Permit to allow the phased construction and expansion of an existing winery facility and public tasting room. Winery build-out (includes the existing winery structures) will include: 1,600 square-feet (sf) tasting room; 500 sf roadside stand; 11,376 sf barrel/case storage and processing facility; and 5,505 sf of outdoor covered crush area. Wine production is estimated at 10,000 cases per year. No special events are authorized with this permit; wine industry-wide events are allowed per land use ordinance. The applicant is also requesting a setback modification for the processing/barrel storage building of the minimum 200 foot setback to the property line requirement to allow a setback of 38 feet to the easterly property line. The project will result in the disturbance of 0.4 acres on a 32.8 acre parcel. The project is located within the Agriculture land use category and is located on the south side of Highway 46 (at 2485 Green Valley Road), 1.5 miles northwest of the community of Templeton, in the North County planning area, Adelaida Sub Area.			
RECOMMENDED ACTION 1. Approve Minor Use Permit DRC2014-00064 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION: A Class 3 Categorical Exemption (ED14-211) was issued on April 7, 2015.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 040-111-019	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: None Applicable			
LAND USE ORDINANCE STANDARDS: Section 22.30.070 Agricultural Processing Uses, Section 22.62.050 Minor Use Permit Approval, Section 22.18 Parking, Section 22.10.180 Water quality Does the project conform to the Land Use Ordinance standards? Yes - see discussion			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on June 20, 2015 if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

EXISTING USES: Single family residence, winery	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture; agricultural, residences <i>East:</i> Agriculture; agricultural, residences <i>South:</i> Agriculture; agricultural, residences <i>West:</i> <i>East:</i> Agriculture; agricultural, residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Agricultural Commissioner, Building Division, Cal Fire, RWQCB, Cal Trans, City of Paso Robles, and Templeton Area Advisory Group	
TOPOGRAPHY: Moderately sloping	VEGETATION: Oak Trees, non-native grasses, vines
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CAL FIRE	ACCEPTANCE DATE: March 5, 2015

PROJECT HISTORY

The property currently owned by Steve and Jackie Gleason is home to Four Lanterns Winery.

- 1990 - Site Plan D900190S was approved allowing the operation of a roadside stand of 500 square-feet inside a barn.
- 1996 - Minor Use Permit D910027P was approved to convert the 2,500 square-foot barn into a winery facility that included:
 - 1,200 square-foot tasting room and 500 square-foot roadside stand;
 - 400 square-foot office area;
 - 400 square-foot fermentation area;
 - 400 square-foot case storage area;
 - 512 square-foot storage area;
 - 256 square-foot outdoor processing area; and
 - 906 square-foot of outdoor wine processing behind the winery building.
- 2006 - Minor Use Permit DRC2005-00082 and subsequent Substantial Conformance Determinations were approved authorize the following for the winery facility:
 - 1,600 square-foot tasting room;
 - 500 square-foot roadside stand;
 - 3,000 square-feet of outside crush pad area;
 - 256 square-foot indoor crush area;
 - 1,312, square-foot fermentation, barrel, and case good area.

PROJECT DESCRIPTION

The project includes the phased expansion of a winery facility with an existing public tasting room. At project completion the winery facility would total 1,600 square-feet tasting, 500 square feet road-side stand, approximately 3,100 square-feet processing, approximately 8,000 square-feet storage, and approximately 5,505 square-feet crush pad. Wine production is estimated at 5,000 cases per year at completion of Phase 1, and 10,000 cases per year at completion of Phase 2. The winery is planning to participate in industry-wide events, as allowed by ordinance.

The applicant requests a setback modification for the processing/barrel storage building (Section 22.30.070.D.2.d.1) of the minimum 200 foot setback to the property line requirement to

allow setbacks of 38 feet to the easterly property line.

The project phasing includes:

Phase I

- The construction of a processing/storage building totaling 4,808 square-feet, with a 2,505 square-foot concrete covered crush pad connecting the storage and processing sections.

Phase II

- The construction of one barrel storage building and barrel storage addition to the Phase I building totaling 5,000 square-feet (2,800 square-feet and 2,200 square-feet). The new building will be located to the south of the Phase I buildings. Also included is construction of a 375 square-foot gazebo between the two storage buildings, south of the proposed covered crush pad.

The proposed project is an expansion to a production winery operation that will produce approximately 10,000 cases per year. The operation is proposed to include on-site crushing, fermentation, barrel aging, blending, bottling, and case good storage. An existing greenhouse, storage garage, and shed will be demolished as part of this project. The winery will process grapes from 22 acres on-site acres and from an off-site vineyard.

LAND USE ORDINANCE STANDARDS

Section 22.30.070.D.2: Wineries

The project is subject to Land Use Ordinance section 22.30.070.D.(2), Wineries. Section 22.30.070 sets forth standards for winery development, including, but not limited to, access, setbacks, parking, design, screening, height, lighting, and tasting rooms.

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>Compliance</u>
Minimum Site Area (Section 22.30.070)	20 acres for wineries with special events	No special events proposed. The subject property is approximately 32.83 acres	Yes
Access Location (Section 22.30.070)	Wineries with tasting room, retail sales, special events located on or within 1 mile of arterial or collector	Winery is located on Highway 46 a major arterial	Yes
Setbacks from property lines: (Section 22.30.070)	100 feet required for wine processing buildings	Front – approx. 235 feet Rear – approx. 881 feet Right (East) - 38 feet Left – approx. 1,150 feet	No, modification requested
Setbacks from residences outside of the ownership of the applicant (Section 22.30.070)	200 feet for wine processing buildings	Greater than 400 feet	Yes
Height (Section 22.30.070)	35 feet – may be increased to 45 feet where a pitched roof of greater than 4:12 is proposed and at least 50 percent of the structure is at 35 height or less	40 feet with 4.2:12 roof pitch, at least 50 percent of the structure is 35 or less	Yes

Screening (Section 22.30.070)	If visible from the public road wineries shall be screened.	Required by ordinance, applicant has submitted a landscape plan.	Yes
Lighting (Section 22.30.070)	Lighting fixtures are required to be shielded	Project conditioned to meet this requirement	Yes
Solid waste disposal (Section 22.30.070)	Pomace may be used as fertilizer or soil amendment	Pomace will be used and composted on site; project conditioned to meet this requirement	Yes
Design Exterior (Section 22.30.070)	Wineries shall have an exterior design styles that is agricultural or residential in nature.	The proposed building has an agricultural design style.	Yes
Signs (Section 22.60.060)	Maximum of 100 sq ft of signage; one free standing or monument	Applicant is not proposing to go beyond what is allowed per LUO	Yes
Parking (Section 22.18)	1 per 2,000 sf of active use 1 per 5,000 sf of storage 1 per 200 sf of tasting room • Total Spaces Required: 11 plus 1 ADA	$3,100 / 2,000 = 1.5$ $8000 / 5,000 = 1.6$ $1,600 / 200 = 8$ Total Spaces Provided: 9	No, project conditioned
Tasting room (Section 22.30.070)	One tasting room allowed for each winery	Project includes an existing 1,200 sf tasting room	Yes
Design and Operation Standards / Access (Section 22.30.610.D.1-4 and E)	Temporary Events shall be provided 2 access points;	No special events proposed	N/A
Design and Operation Standards / Special Event Parking (Section 22.30.610.D.1-4 and E)	400 sf per vehicle; Located on open areas with slopes of 10 % or less, free of combustible material;	No special events proposed	N/A
Liquid waste disposal (Section 22.30.070)	<ul style="list-style-type: none"> Winery wastewater - standards set through RWQCB Domestic wastewater - leach lines shall be located at least 100 feet from any private well 	<ul style="list-style-type: none"> Discharge permit from RWQCB will be required Complies 	Yes, as conditioned
Limitation on Use / Noise (Section 22.30.070)	<ul style="list-style-type: none"> Special events limited to 40 days per year; Outdoor amplified music shall not occur before 10 a.m. and after 5 p.m.; Standard may be waived where finding can be made that the noise will not exceed 65dB at property lines 	<ul style="list-style-type: none"> No special events proposed; No amplified music requested Applicant not requesting standard to be waived 	N/A

Ordinance Modifications

Setbacks

Per Section 22.30.070, setbacks may be modified through a Minor Use Permit. Approval may

be granted only after the Review Authority first determines that the request satisfies any of the following findings:

- (1) there is no feasible way to meet the required setbacks without creating environmental impacts or impacting prime agricultural land (SCS Class I, II and III);
- (2) the property fronts an arterial or collector street;
- (3) the setbacks are not practical or feasible due to existing topographic conditions or existing on-site vegetation; or
- (4) is a legally constructed existing structure that was built prior to 1980 and it can be clearly demonstrated that the structure was intended for a legitimate agricultural or residential use.

The Land Use Ordinance states that where a winery has public tours, tasting, retail sales, or special events, the setbacks shall be increased to 200 feet from each property line and no closer than 400 feet to any existing residence outside the ownership of the applicant. The applicant requests a setback modification of the minimum 200 foot setback to property line requirement to allow 38 feet to the easterly property line.

The proposed project meets numbers (1), (2), and (3). The proposed project site is on previously disturbed areas of the property that will require minimal removal of vineyards, whereas alternate placement would require extensive vineyard removal. The site is fronted by Highway 46 (Green Valley Road), an arterial road. The site is also constrained due to existing topographic conditions as alternate placement would require substantial grading on steep slopes.

COMMUNITY ADVISORY GROUP COMMENTS

Templeton Area Advisory Group discussed this item at their March 19, 2015 regular meeting and supported the project unanimously.

AGENCY REVIEW

Public Works – *Per revised referral dated February 9, 2015:*

1. As the entrance to this site comes from SR 46, Public Works will defer to Caltrans, Calfire and Planning on the assessment of access to the property.
2. The proposed project is within the Templeton B Road Fee Area. Payment of Road Improvement Fees is required prior to building permit issuance.
3. A drainage plan is required and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits.

Ag Commissioner- *Per referral dated December 31, 2014*

The Agriculture Department's review finds that the proposed Gleason Minor Use Permit...will have less than significant impacts to agricultural resources or operations. The Department recommends the following conditions to maximize the availability of water for agricultural production:

1. Incorporate best management practices for water conservation purposes throughout the winery facility.

2. Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge and/or stormwater management, minimize erosion and sedimentation and protect farmland for agricultural use.

Building Division – *Per referral dated January 12, 2015*

1. All plans and engineering shall be prepared by a California Licensed Architect of Record.
2. The project is subject to a construction permit (for each separate structure) as well as the currently adopted California Codes.
3. The project will require a full soils report for the design of all building foundations at the time of construction permit application submittal.
4. The project is subject to the California State Title 24 accessibility / energy laws.
5. Whether or not a grading permit is required, the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.
6. The applicant may need to secure a wine waste discharge permit through the California Regional Water Quality Control Board.
7. A fire sprinkler system will be required for each new building. The sprinkler plans shall be submitted with a separate application for a separate fire sprinkler permit with the application for the structure(s). The application for the sprinkler system and any water tank storage required for the system shall be approved prior to issuance of the structure(s). Cal Fire requires that all commercial sprinkler systems be reviewed by a licensed fire protection engineer.

CAL FIRE – See Fire Safety Plan.

Regional Water Quality Control Board – No Response.

Cal Trans – No Response.

City of Paso Robles – *Per referral dated January 5, 2015*

1. The City of Paso Robles has no comments on this application.

LEGAL LOT STATUS

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Brandi Cummings and reviewed by Karen Nall.